

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**JOAN FAULK OWENS and KAREN  
LYNN HUBBARD,**

**Plaintiffs,**

**v.**

**STATE OF ALABAMA DEPARTMENT  
OF MENTAL HEALTH AND MENTAL  
RETARDATION, et al.**

**Defendants.**

**CASE NO- 2:07-cv-650-WHA**

**MOTION FOR TWENTY-FOUR HOUR EXTENSION OF  
TIME TO RESPOND TO ORDER OF THE COURT (DOCUMENT 68)**

**COME NOW**, the Plaintiffs, Joan Faulk Owens and Karen Lynn Hubbard, and move the Court for a twenty-four hour (or one day) extension of time to respond to the Order of the Court (Document 68) entered on August 18, 2008. In the Order, the Court notes that the Defendants have advanced an argument as to Count III of the Amended Complaint to which the Plaintiffs have not yet had an opportunity to respond. Accordingly, the Court ordered the Plaintiffs to file a response to the Defendants' argument on or before August 25, 2008. In support of this request for an extension, Plaintiffs state as follows:

1. Plaintiffs have been working on their Response to the Court's Order. However, Plaintiffs are also working on their response to the Court's Show Cause Order (Document 64) dated August 15, 2008, which orders the Plaintiffs to show cause on or before Friday, August 22, 2008, as to why the Defendants' Motion to Substitute (Document 62) should not be granted.

2. In addition to preparing a response to the both the show cause order (Document 64) and the Court's Order of August 18, 2008, (Document 68), the undersigned counsel for Plaintiffs has been working on and just completed an appellee brief filed with the Alabama Supreme Court on Wednesday, August 20, 2008 in Helen Kathryn Wheeler, et al. v. Randall L. George, et al., No. 1070484, consolidated with Southdale, LLC v. Randall L. George, et al., No. 1070487.

3. Tomorrow, Friday, August 22, 2008, the undersigned counsel must travel out of town to attend the funeral of a close family friend in Marion, Alabama.

4. Furthermore, on Monday, August 25, 2008, the undersigned attorney is scheduled to take the deposition of a defendant in a mortgage fraud lawsuit currently pending in the Circuit Court of Montgomery County, Alabama, Sam Vasser v. H. Craig Jenkins, Sr., Case No. CV-07-516-WAS.

5. Accordingly, due to several professional and personal demands all occurring within five days, it would greatly benefit and aide the Plaintiffs and the undersigned counsel to have an additional twenty-fours (or one day) to respond to the Court's Order (Document 68).

6. The Defendants will not be prejudiced in any way by the Court granting this request for an extension of twenty-four hours.

**WHEREFORE, PREMISES CONSIDERED**, Plaintiffs respectfully move the Court to grant the relief herein, and extend the deadline currently set for Monday, August 25, 2008 in its Order (Document 68), to Tuesday, August 26, 2008.

Respectfully submitted this the 21<sup>st</sup> day of August, 2008.

s/J. Flynn Mozingo  
J. Flynn Mozingo (MOZ003)  
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**CERTIFICATE OF SERVICE**

\_\_\_\_\_ I HEREBY CERTIFY that I have filed the foregoing electronically with Clerk of the Court using the ECF/CM system and a copy of the foregoing will be served on the below listed counsel of record via such system on this the 21<sup>st</sup> day of August, 2008 :

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s/J. Flynn Mozingo  
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